

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 22

July 12, 2007

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON JUNE 12, 2007

SUBJECT: DUTY TO CONDUCT AND DOCUMENT INDIVIDUAL PERFORMANCE ASSESSMENTS

PURPOSE: It is the responsibility of managers and supervisors to regularly review the performance of subordinate employees. The Consent Decree mandates improvements to the Training Evaluation and Management System (TEAMS) through the development of TEAMS II. TEAMS II contains the Risk Management Information System (RMIS), which will serve as a tool for supervisors and managers conducting such regular reviews. This Order establishes the protocols to conduct individual performance assessments utilizing RMIS.

PROCEDURE:

I. SUPERVISOR GENERATED INDIVIDUAL PERFORMANCE ASSESSMENTS.

Supervisors shall conduct, at a minimum, one individual performance assessment for each sworn subordinate employee during the employee's 12-month rating period. RMIS provides the ability for a supervisor or manager to generate a "Supervisor Action Item" (SAI) to review a subordinate's performance. An SAI shall be generated to document reviews for the following:

- * Annual performance evaluation;
- * Pay-grade advancements;
- * Assignment to Special Enforcement Units (SEU), Professional Standards Bureau (PSB), Field Training Officer (FTO) positions;
- * Employee transfers to new assignments; or,
- * Periodic Monitoring.

A. Generating an SAI. When a supervisor conducts a performance assessment, the supervisor shall use the RMIS function in TEAMS II to generate an SAI.

1. For non-supervisory personnel: Although additional reports may be available for an SAI, the review, at a minimum, shall include the following reports:

- * TEAMS Report; and,
- * Summary of Employee Activity.

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2. For supervisory personnel: Although additional reports may be available for an SAI, the review, at a minimum, shall include the following reports:

- * TEAMS Report;
- * Summary of Employee Activity; and,
- * Comparison of Employee Average Activity for Selected Organizations.

3. For management personnel (captains): Although additional reports may be available for an SAI, the review, at a minimum, shall include the following reports:

- * TEAMS Report; and,
- * Comparison of Employee Average Activity for Selected Organizations.

B. Conduct Performance Assessment. The supervisor shall assess the employee's performance against that of similar employees, such as employees in the same peer group, organization or similar job assignment. If the supervisor identifies an employee with a significant difference in performance between the employee being assessed and that of similar employees, the supervisor should undertake a more detailed review of the employee's performance. Such a review may include arrest reports, use of force reports, personnel complaints, preventable collisions reports, pursuit reports, etc. The review of these additional reports should assist in the determination of whether an employee's behavior is outstanding, acceptable or possibly constitutes at-risk behavior needing further monitoring or action. For supervisory and management personnel: The supervisor shall also assess the employee's performance in implementing the provisions of this Order.

C. Document the Results. In the "Investigative Narrative" section of the SAI, document the extent of the inquiry and provide justification for the course of action taken, if any, or justification for the decision to take no action.

D. Disposition of the SAI. When preparing to close out an SAI, the manager or supervisor must choose from one or more of the following listed in the "Conclusion/Recommendation" section of the SAI:

- * Cancel;
- * No Action;
- * No Action - Note for Annual Review Only;
- * Commendation;
- * Informal Meeting;
- * Training;
- * Special Evaluation Reports;
- * Modified Field Duties;
- * Assigned to Non-Field Duties;
- * Risk Management Executive Committee (RMEC) Referral;
- * Directed Behavioral Science Services (BSS) Referral;
- * Comment Card;
- * Notice to Correct Deficiencies (NTC); or,
- * Complaint.

All action items receiving a disposition of "Cancel" or "No Action" will not be displayed on an employee's TEAMS Report. All action items receiving a disposition of "No Action - Note for Annual Review Only" will be displayed on an employee's TEAMS Report for a minimum of one year. All action items receiving any other disposition will be displayed on an employee's TEAMS Report for a minimum of three years.

- 1. Cancel.** Used when the SAI was generated unnecessarily or in error. This disposition will end the inquiry and the SAI will go no further in the chain of command. An SAI with this disposition will not display on an employee's TEAMS report.
- 2. No Action.** Used when nothing significant was identified or when a significant difference was identified, however further review verified that the difference was justified and did not necessitate further action. This disposition will end the inquiry and the SAI will go no further in the chain of command. An SAI with

this disposition will not display on an employee's TEAMS report.

3. **No Action - Note for Annual Review Only.** Used when an SAI has been generated for the purpose of conducting an Annual Performance Evaluation. This disposition should also be used when an SAI has been generated for the purposes of periodic monitoring, where the supervisor wishes to maintain any portion of the action item for future use in the employee's Annual Performance Evaluation. This disposition will end the inquiry and the SAI will go no further in the chain of command. An SAI with this disposition will display on an employee's TEAMS report.
4. **Commendation.** Used when the assessment determined that the behavior is deserving of commendable recognition and the supervisor causes a commendation to be completed. An SAI with this disposition will be forwarded through the chain of command for review by the commanding officer. An SAI with this disposition will display on an employee's TEAMS report.
5. **Informal Meeting.** Used when the supervisor meets with the employee and conducts an informal counseling session that does not result in any further action. An SAI with this disposition will end the inquiry and the SAI will go no further in the chain of command. An SAI with this disposition will display on an employee's TEAMS report.
6. **Training.** Used when the assessment identified a need for formal training. The supervisor shall document the type of training and the reason for the training in the "Investigative Narrative" section of the SAI. The supervisor shall cause the training to be scheduled. All formal training shall be entered into the Training Management System (TMS). Upon completion of the SAI by the investigating supervisor, an SAI with this disposition will move up the chain of command for review and approval by the commanding officer. An SAI with this disposition will display on an employee's TEAMS report.

7. **Special Evaluation Reports.** Used when the assessment determined an employee is in need of mentoring and special evaluation reports are required. The supervisor shall cause such reports to be completed for the time period determined by the supervisor and the employee's commanding officer. This disposition will require concurrence and approval from the commanding officer prior to completion of the SAI by the investigating supervisor. An SAI with this disposition will display on an employee's TEAMS report.
8. **Modified Field Duties.** Used when the supervisor identifies a need for modified field duties. This disposition will require concurrence and approval from the commanding officer prior to completion of the SAI by the investigating supervisor. An SAI with this disposition will display on an employee's TEAMS report.
9. **Assignment to Non-Field Duties.** Used when the supervisor determines that the employee should be removed from the field and placed in a non-field duty assignment. The date identified for the next performance assessment should be included in the "Investigative Narrative" section. The supervisor shall contact the timekeeper on duty to ensure the employee's duty is modified in the Deployment Period System (DPS) to indicate a non-field duty assignment. This disposition will require concurrence and approval from the commanding officer prior to completion of the SAI by the investigating supervisor. An SAI with this disposition will display on an employee's TEAMS report.
10. **RMEC Referral.** In the "Investigative Narrative" section of the SAI, the supervisor shall document "Confidential" when a referral to RMEC is recommended. This disposition will require concurrence and approval from the commanding officer prior to completion of the SAI by the investigating supervisor. An SAI with this disposition will display on an employee's TEAMS report.

11. **Directed BSS Referral.** In the "Investigative Narrative" section of the SAI, the supervisor shall document "Confidential" when a directed referral to BSS is issued. This disposition will require concurrence and approval from the commanding officer prior to completion of the SAI by the investigating supervisor. An SAI with this disposition will display on an employee's TEAMS report.
12. **Comment Card.** Used when the supervisor determines that a comment card is appropriate. Prior to completion of the SAI, if possible, the supervisor shall scan and attach an electronic copy of the comment card to the SAI. The supervisor shall also record the SAI identification number on the Comment Card. Upon completion of the SAI by the investigating supervisor, an SAI with this disposition will move up the chain of command for review and approval by the commanding officer. An SAI with this disposition will display on an employee's TEAMS report.
13. **Notice to Correct.** Used when the supervisor determines that a Notice to Correct Deficiencies (NTC), Form General 78, is necessary. The supervisor shall also record the SAI identification number on the NTC. Prior to completion of the SAI, if possible, the supervisor shall scan and attach an electronic copy of the NTC to the SAI. Upon completion of the SAI by the investigating supervisor, an SAI with this disposition will move up the chain of command for review and approval by the commanding officer. An SAI with this disposition will display on an employee's TEAMS report.
14. **Complaint.** Used in the event misconduct is identified and a personnel complaint results. A printout of the SAI shall be attached as an addenda item to the complaint. Upon completion of the SAI by the investigating supervisor, an SAI with this disposition will move up the chain of command for review and approval by the commanding officer. An SAI with this disposition will display on an employee's TEAMS report.

Note: The above listed dispositions shall be governed by any Department rules, procedures or guidelines in existence at the time the Action Item is completed.

E. Employee Review of an SAI.

1. **"Cancel" and "No Action" dispositions.** If an SAI is closed as "Cancel" or "No Action," no approval is required and the SAI will not appear on an employee's TEAMS II Report. Therefore, the SAI does not have to be reviewed with the employee who is the subject of the SAI.
2. **All other dispositions.** All other dispositions on an SAI shall be reviewed with the employee prior to the completion of the SAI. Once the SAI is completed, the SAI will automatically be forwarded through the chain of command to the division commanding officer for review.
3. **Prior to the completion of the SAI, the investigating supervisor shall:**
 - * Meet with the employee and provide the involved employee an opportunity to review the SAI; and,
 - * In the SAI section titled "Investigative Narrative," document the date the matter was discussed with the employee.

F. Chain of Command Review. In the event the SAI is required to be reviewed within the chain of command, the reviewer shall:

- * Review it for thoroughness, and "kickback" the SAI for correction or additional information only if necessary; and,
- * Ensure that the supervisor has met with the concerned employee to discuss the course of action and that the date and time of the discussion are documented in the SAI.

Note: Upon completion of the chain of command review of the SAI, the employee shall be given 30 days to provide a written response to any adverse comments, if the employee so chooses. The commanding officer shall ensure that the employee has been notified that the 30-day response period has begun. The employee's response shall be filed in the Division Employee Folder, Form 01.01.00.

II. AUTOMATED INDIVIDUAL PERFORMANCE ASSESSMENT. The TEAMS II, RMIS utilizes a number of separate performance related databases that capture employee activity and feed selected data into RMIS. (See Special Order No. 20, 2006.) The combined data in RMIS will be statistically analyzed using peer groups and performance thresholds.

Employee Activity Data Analyzed by RMIS:

- * Personnel Complaints;
- * Use of Force Incidents;
- * Claims and Lawsuits;
- * Preventable Traffic Collisions;
- * Pursuits;
- * Stops; and,
- * Arrests.

A. Peer Groups. Every Department employee is assigned to a peer group based on the type of work the employee performs (i.e., patrol, Gang Enforcement Detail, vice, etc.). An employee's peer group is listed on his or her TEAMS Report.

Note: If an employee believes his/her peer group has been assigned in error, the employee should contact his/her local DPS Administrator or TEAMS II Coordinator.

B. Performance Thresholds and RMIS Action Items.

Performance thresholds are calculated by RMIS via a review of employee and peer group activity. When RMIS receives data indicating that an employee has engaged in a type of activity analyzed by RMIS, RMIS performs certain functions. First, RMIS performs a statistical analysis of the employee's activity compared to that of the employee's peer group. Then, if the employee's activity exceeds particular

thresholds set in RMIS, RMIS will automatically generate an "RMIS Action Item" (AI). The RMIS AI is then forwarded to the employee's supervisor.

Note: An AI shall not be construed as evidence of any wrongdoing on the part of the employee, nor is it indicative of any training need. It is merely a notification that a statistical indicator requires a supervisory review.

- * **RMIS AI on Employee's TEAMS Report.** All RMIS AIs will appear on an employee's TEAMS Report as "pending" until the RMIS AI has been reviewed by the employee's Bureau. Upon final review and approval, the "pending" status will change to indicate the final disposition of the RMIS AI.

C. Supervisor's Responsibility When Receiving an RMIS AI. An RMIS AI will be sent to a supervisor's worklist for an employee in his/her chain of command. Upon receipt of the RMIS AI, the supervisor shall:

- * Notify the involved employee of the RMIS AI and advise the employee of the nature of the RMIS AI; and,
- * Open the AI and review the information and documentation pertaining to the employee's activities that led to the threshold activation as described below and in Section I of this Order.

In addition to the reports required for review under Section I, the following reports shall also be reviewed (where made available by RMIS via a hyperlink on the RMI "Respond to Action Item" screen):

- * Threshold Activation Report; and,
- * Action Item History Report.

Note: Upon receipt of an AI, supervisors shall complete their review and document the proposed action taken as a result of the review in a timely manner. Any requests for extensions must be approved by the commanding officer before modified on the AI.

- D. Disposition of the AI.** The protocols as described in Section I, B-F of this Order, shall be followed. RMIS will automatically assign a due date to the AI, which can be extended with appropriate justification and approval from the chain of command.

All RMIS AI's, regardless of disposition, will appear on an employee's TEAMS Report once completed.

Note: The disposition "Cancel" will not be made available for RMIS generated AI's.

- E. Employee Review of RMIS AI.** All RMIS AIs shall be reviewed with the involved employee pursuant to Section I, E of this Order, regardless of disposition.
- F. Commanding Officer Review.** All RMIS AIs will move up the chain of command for review and approval by the involved employee's commanding officer, regardless of disposition. Commanding officers shall complete their review in a timely manner and ensure sufficient time for bureau review and approval. (See Section II, G below regarding commanding officer's duty to notify the employee upon completion of bureau reviews.)
- G. Bureau Review.** All RMIS AIs shall be reviewed by the involved employee's bureau, or equivalent reviewing command, regardless of disposition.

Note: Upon completion of bureau review of the RMIS AI, the employee shall be given 30 days to provide a written response to any adverse comment, if the employee so chooses. The bureau shall immediately notify the employee's commanding officer that the 30-day response period has begun and the commanding officer shall ensure that the employee has been notified. The employee response shall be filed in the Division Employee Folder.

III. RISK MANAGEMENT GROUP - RESPONSIBILITIES.

Risk Management Group (RMG) shall be available for supervisors who have questions regarding the disposition of any SAI or AI. RMG shall periodically review and, where necessary, cause the RMIS automated performance thresholds and peer group settings to be modified.

Department personnel shall be notified of all such modifications.

Any adjustments to the disposition of an AI, after the AI has been through bureau review, shall be effected only by RMG upon written request of a commanding officer.

IV. MISUSE OR ABUSE OF ACTION ITEM INFORMATION. Employees are reminded that any misuse or abuse of information contained within RMIS or other TEAMS II systems may result in disciplinary action. Department Manual Section 3/405, outlines the Department's policy regarding confidential files, documents, records and reports in the custody of Department employees. The unauthorized use of information obtained through employment with the Department can subject the employee to possible disciplinary action and/or criminal prosecution. This includes information obtained from manually stored records, as well as information obtained from automated records (e.g., RMIS).

AMENDMENTS: This Order amends Sections 1/668, 3/156.20, 3/760, 3/760.12, 3/760.15, 3/760.20, 3/760.25, 3/760.30, 3/760.40, 3/760.70, 3/760.75, and 3/760.90 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, RMG, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON
Chief of Police

DISTRIBUTION "D"